PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Nobuya Higashiyama	Examiner:	William L. Bashore
Serial No.:	09/098,366	Group Art Unit:	2176
Filed:	June 17, 1998	Docket No.:	60001.0083US01
Title:	Method and System for Placing An Insertion Point In An Electronic Document		

APPELLANT'S BRIEF ON APPEAL

Box AF
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Brief is presented in support of the Notice of Appeal filed December 4, 2003, from the final rejection of Claims 1 and 3-28 of the above-identified application, as set forth in the Final Office Action mailed July 8, 2002.

A check for $320.00 to cover the required filing fee for filing this Brief is enclosed. An original and two copies of the Brief are enclosed herewith.

I. REAL PARTY IN INTEREST

The present application is assigned of record to Microsoft Corporation of Redmond, Washington.

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II. RELATED APPEALS AND INTERFERENCES

No other appeals or interferences that will directly affect, be directly affected by, or have a bearing on the present appeal are known to Appellants, Appellants' legal representatives, or the Assignee.

III. STATUS OF CLAIMS

Claims 1 and 3-28 are pending. All the claims stand rejected and are the subject of this Appeal. The pending claims are reproduced in Appendix 1.

IV. STATUS OF AMENDMENTS

A Response to the Final Office Action (hereinafter "Response") was filed on September 9, 2002, under 37 C.F.R. § 1.116. An Advisory Action was mailed October 4, 2002, in which the Response was deemed not to place the application in condition for allowance. A copy of the Final Office Action is attached as Appendix 2; the Response is attached as Appendix 3; the Advisory Action is attached as Appendix 4.

V. SUMMARY OF THE INVENTION

Word processor programs typically enable a user to add elements to an electronic document beginning at an insertion point. However, an insertion point can only be created over existing text, which includes existing content such as paragraph marks, characters, and spaces. To create an insertion point at a location with no existing text, such as a location outside the end of file marker of a document, a user is first required to manually create content at that location. Users of conventional word processor programs are required to manually add formatting to the document to create such an insertion point. For example, the users may add paragraph marks to set the insertion point's vertical

position and tabs or spaces to set the insertion point's horizontal position. This method is time-consuming and counterintuitive to many users.

Briefly stated, the present invention enables creating an inserting point at a location with no existing text without manually adding content. A word processor recognizes an attempt to place an insertion point where no content exists, and in response, automatically adds formatting sufficient to place the insertion point at that location.

In one aspect, formatting adjustments are made based on context information associated with the location of a cursor. Rules for altering the formatting of the document are associated with different kinds of context information. When the context information associated with the cursor location is collected, one of the rules is selected based on the collected context information. Formatting adjustments are made in accordance with the selected rule so that an insertion point is created at the cursor location.

In another aspect, information associated with creating an insertion point is presented to the user by visual indication. In response to selecting a rule, the presentation of the cursor is changed to indicate an anticipated location of the insertion point and the type of formatting that will be applied.

VI. ISSUES PRESENTED FOR REVIEW

The issues presented for this appeal are

(1) Whether WordPerfect Version 6.1 For Windows (hereinafter "WordPerfect") fails to teach automatically creating an insertion point in an electronic document at a cursor location with no existing text.

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(2) Whether the combination of Van De Vanter, US Patent Number 5,857,212, and Funkunaga, US Patent Number 5,627,948 fails to teach automatically creating an insertion point in an electronic document at a cursor location with no existing text by collecting context information associated with that location and adjusting the insertion point based on the collected context information.

(3) Whether the combination of Van De Vanter and Funkunaga fails to teach changing a presentation of a cursor to indicate an anticipated location of an insertion point and the type of formatting that will be applied.

VII. GROUPING OF CLAIMS

For purposes of this appeal alone, Claims 22-28 are considered to stand or fall together; Claims 15-18 are considered to stand or fall together; Claims 10-14 are considered to stand or fall together; Claims 1-9 and 19-21 are considered to stand or fall together.

VIII. ARGUMENT

Appellant respectfully submits that the present invention is not taught or suggested by WordPerfect, Van De Vanter or Funkunaga, in any combination, for the following reasons.

A. WordPerfect Does Not Teach Automatically Creating An Insertion Point At A Cursor Location With No Existing Text

Independent Claim 22 is directed to a computer-implemented method that includes "receiving a notification of an intent to create an insertion point at a cursor location in the electronic document; and if the cursor location corresponds to no existing text, automatically making formatting adjustments sufficient to create the insertion point

at the cursor location." The claimed method provides an easy and intuitive way of placing an insertion point before entering content into a document. (Response, pages 2 and 3) This allows a user to enter content anywhere in the document by simply placing the cursor at a desired location. Instead of manually positioning the insertion point as required by the prior art, the claimed method automatically makes formatting adjustments to create the insertion point at the cursor location.

In the Final Office Action, the Examiner argued that WordPerfect anticipated the subject matter recited in independent Claim 22. WordPerfect is an application program for editing documents. The Examiner did not cite or include any documentation associated with WordPerfect in the Final Office Action. Rather, the Examiner included screenshots for illustrating a multi-step procedure that the Examiner used for inserting a bitmap image object in an electronic document using WordPerfect. As stated in the Response, this procedure is much more complicated than the claimed method and requires a user to manually issue multiple commands. More significantly, the procedure described by the Examiner failed to teach automatically making formatting adjustments to create an insertion point at a cursor location with no existing text, which is the subject matter of Claim 22.

The Examiner asserted that the described procedure caused WordPerfect to automatically format the document to include new data at a location without existing text. (Final Office Action, page 3) However, the screenshots included in the Final Office Action clearly show the contrary. The third screenshot shows two cursors at different locations: cursor a and cursor b. The Examiner alleged that the location at cursor b had no existing text. The fourth and fifth screenshots show steps of inserting a bitmap object

into the document. The Examiner did not state whether the bitmap image object is to be inserted at cursor a or cursor b. The procedure has bearing on the patentable of Claim 22 only if the bitmap image object can be inserted at cursor b where no existing text was present. However, screenshot 6 clearly shows that the bitmap image object was not inserted at cursor b. Rather, the bitmap image object was inserted at the beginning of the last line of text, as evident by the fact that the last line of text was moved to the right. Thus, the bitmap image object was clearly inserted over text that was already in existence.

Failing to achieve the desired result, the Examiner then attempted to create a visual illusion that text was being added at cursor b. To do so, the Examiner modified the bitmap image object, which was inserted over existing text, to include some text at a location that was proximate to the location of cursor b. As shown in screenshots 7, 8, and 9, the Examiner simply used the "Create Caption" feature in WordPerfect to modify the blank bitmap object to include a caption. Thus, the actions described by the Examiner, which are far from automatic, constitute nothing more than modifying an existing object inserted over existing text.

Applicant respectfully submits that the Examiner's exercise does nothing to anticipate the claims. Rather, the exercise supports the distinction between the claimed invention and the cited references. The Examiner has illustrated that many manual steps are involved in merely creating the illusion that content was inserted at the location at cursor b. There is nothing automatic about the illustrated process. Indeed, the system of the claimed invention would have enabled the Examiner to achieve the same result by eliminating the steps shown in screenshots 4, 5, 6, 7, and 8

For the reasons stated above, applicant respectfully submits that the rejection of Claim 22 is in error and should be reversed. The rejections for dependent Claims 23-28 should also be reversed for at least the same reasons.

B. Van de Vanter and Funkunaga Do Not Teach Automatically Creating An Insertion Point In An Electronic Document At A Cursor Location With No Existing Text Based On The Collected Context Information

Independent Claim 15 is directed to a method for adjusting the location of an insertion point in an electronic file to match the location of a cursor. The method includes

> (a)   determining whether a location of a cursor in the electronic file is positioned over existing text, wherein the existing text includes existing paragraph marks, existing characters or existing spaces;
> (b)   collecting context information regarding a location of a cursor in the electronic file by:
> if the location of the cursor is positioned over existing text, then collecting context information associated with the existing text;
> otherwise, collecting context information associated with existing text that is proximate to the location of the cursor;
> (c)   applying the collected context information to a database of a plurality of rules to determine whether the collected context information coincides with one of the plurality of rules;
> (d)   if so, then adjusting the location of the insertion point based upon the coinciding rule;
> (e)   determining whether the location of the insertion point matches the location of the cursor; and
> (f)   if not, then repeating steps (a)-(e).

As recited in steps (a) and (b) of Claim 15, context information may be collected at a cursor location with or without existing text. Since the method places an insertion point at the cursor location, the insertion point may be placed at a location with no existing text.

The Examiner argued that the combination of Van De Vanter and Fukunaga taught the method recited in Claim 15. Van De Vanter describes an editor for a computer

program that is capable of displaying a varying amount of visual inter-token whitespace between tokens in the computer program. The editor determines whether two adjacent tokens should be separated. The editor makes this determination based on the respective classes of the two tokens and by referring to a separator table 168a-1. If the tokens are to be separated, visual whitespace is added between the two tokens when the tokens are displayed. The size of the whitespace is determining by referring to a whitespace display table 194. This teaching is fundamentally and substantially different from the invention of Claim 15. In particular, the teachings in Van de Vanter are directed to managing the spacing of existing text. Nothing in Van de Vanter teaches adjusting the location of an insertion point in a document to match a cursor location with no existing text.

The Examiner admitted that Van de Vanter does not teach collecting information proximate to cursor location as recited in step (b). (Final Office Action, pages 9 and 10). However, the Examiner argued that Fukunaga taught this step. Fukunaga is directed to a method for displaying format information for a line to which a cursor is shifted by scrolling in a format display area. Fukunaga teaches displaying margins and tabstop information about a line with existing text at a format display area located at top of a document display area. However, nothing in Fukunaga teaches or suggests collecting context information regarding a cursor location with no existing text.

Citing the specification and Fig. 4 of Fukunaga, the Examiner argued that "Fukunaga teaches collecting contextual formatting information of text lines proximate to a cursor position not located over text." (Final Office Action, page 4). However, the cited section and figure in Fukunaga merely describe displaying information format associated with a line having existing text at which a cursor is presently located. For

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example, Fig. 4 in Fukunaga clearly shows that the cursor K is over a line with existing text. The figure does not teach or suggest any action when a cursor is over a line with no existing text.

For step (d), the Examiner asserted that "Van de Vanter teaches a method of matching an I-beam cursor relevant to various insertion point positions." (Final Office Action, page 10). The section in Van de Vanter cited by the Examiner deals with changing the presentation of an I-beam cursor to reflect size of visual whitespace gap between existing text. Nothing in Van de Vanter teaches adjusting the location of an insertion point to match the location of a cursor where no existing text exists.

For the reasons stated above, applicant respectfully submits that the Examiner's basis for rejecting Claim 15 is improper and without merit and that the rejections should be reversed. The rejections of dependent Claims 16-18 should also be reversed for at least the same reasons.

The Examiner rejected independent Claims 1 and 21 under the same rationale as that used to reject Claim 15. Appellant respectfully submit that the rejections for Claims 1 and 21, and dependent 3-9 and 19-20 should also be reversed for at least the same reasons.

C. Van de Vanter and Funkunaga Do Not Teach Changing A Presentation Of A Cursor To Indicate An Anticipated Location Of An Insertion Point And The Type Of Formatting That Will Be Applied

Independent Claim 1, in step (d), includes "changing a presentation of the cursor to indicate an anticipated location of the insertion point and the type of formatting that will be applied to text and objects located in close proximity to the cursor location." The Examiner argued that Van de Vanter taught changing cursor presentation. The section in

Van de Vanter cited by the Examiner describes varying "the top and bottom (horizontal) parts of the I-beam shape to reflect size of the visual whitespace gap in which it is positioned." (Final Office Action, page 5; Van de Vanter, column 36, lines 59-67). The Examiner admitted that "Van de Vanter does not specifically teach indication of formatting types in close proximity." However, the Examiner asserted that "Fukanaga teaches display of formatting information proximate to cursor location, subsequent to a change in said cursor location." Applicant respectfully submits that the rejection of Claim 1 is improper and should be reversed.

To combine the two references, the Examiner simply asserted that Fukanaga taught the advantage of format change and display. (Final Office Action, page 5). However, the Examiner failed to properly point out any suggestion or motivation to combine Fukanaga with Van de Vanter. Also, in step (d) of Claim 1, the cursor presentation is changed to indicate two types of information: "an anticipated location of the insertion point and the type of formatting that will be applied to text and objects located in close proximity to the cursor location." Neither reference teaches the indication of these two types of information. Thus, even if the two references are properly combined, the resulted teaching still fails to disclose the subject matter recited in step (d) of Claim 1.

Applicant respectfully submits that the arguments stated in this Section C are reasons in addition to those stated in Section B for reversing the rejection of independent Claim 1 and dependent Claims 3-9 and 19-20.

The Examiner rejected independent Claims 10 and 21 under the same rationale as that used to reject Claim 1. Appellant respectfully submits that the rejections for Claim

10 and dependent 11-14 should be reverse for at least the same reasons stated in Section C.

VIX. CONCLUSION

Appellants respectfully submit that the Examiner erred in rejecting Claims 1 and 3-28. In particular, contrary to the Examiner's assertions, WordPerfect and the combination of Van De Vanter and Funkunaga fail to teach automatically creating an insertion point in an electronic document at a cursor location with no existing text or changing a presentation of a cursor to indicate an anticipated location of an insertion point and the type of formatting that will be applied, as recited in the claims.

Appellant respectfully requests that all of the rejections be reversed.
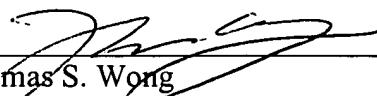
Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.

Date: 2/4/2003

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27488
PATENT TRADEMARK OFFICE

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PENDING CLAIMS:

    1.   For an electronic system for creating and editing an electronic document, a method for placing an insertion point in the electronic document, the method comprising the steps of:

    (a)   determining whether a location of a cursor in the electronic document is positioned over existing text, wherein the existing text includes existing paragraph marks, existing characters or existing spaces;

    (b)   collecting context information regarding the location of the cursor in the electronic document by:

         if the location of the cursor is positioned over existing text, then collecting context information associated with the existing text;

         otherwise, collecting context information associated with existing text that is proximate to the location of the cursor;

    (c)   selecting one of a plurality of rules based on the collected context information;

    (d)   in response to selecting the rule, changing a presentation of the cursor to indicate an anticipated location of the insertion point and the type of formatting that will be applied to text and objects located in close proximity to the cursor location;

    (e)   determining whether an indication has been received to place the insertion point in the electronic document; and

    (f)   if so, then performing formatting to place the insertion point in the electronic document.

    2.   Cancelled.

    3.   The method recited in Claim 1 further comprising the step of determining whether an indication has been received to place the insertion point in the electronic document comprises determining whether a button on a mouse has been double-clicked.

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4.   The method recited in Claim 1 further comprising the step of:

if an indication has not been received to place the insertion point in the electronic document, then repeating steps (a)-(f).

5.   The method recited in Claim 1 wherein the step of performing formatting to place the insertion point in the electronic document comprises adding and deleting formatting properties from the electronic document.

6.   The method recited in Claim 1 wherein the step of determining whether a location of a cursor in the electronic document is positioned over existing text is performed in response to a change in the location of the cursor.

7.   The method recited in Claim 1, wherein each one of the plurality of rules is associated with one of a plurality of triggers, and wherein the step of selecting a coinciding rule from one of a plurality of rules based on the collected context information comprises matching the collected context information with one of the plurality of triggers and selecting the rule associated with the matched trigger as the coinciding rule.

8.   The method recited in Claim 7, wherein each one of the plurality of rules is further associated with a sequence of formatting steps, and wherein the step of performing formatting to place the insertion point in the electronic document comprises performing the sequence of formatting steps associated with the coinciding rule.

9.   A computer-readable medium having computer-executable instructions for performing the steps recited in Claim 8.

10.   For an electronic system for creating and editing an electronic document, a method for displaying a cursor, the method comprising the steps of:

(a)   determining whether a location of a cursor in the electronic document is positioned over existing text, wherein the existing text includes existing paragraph marks, existing characters or existing spaces;

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(b)   collecting context information regarding a location of the cursor

by:

if the location of the cursor is positioned over existing text, then collecting context information associated with the existing text;

otherwise, collecting context information associated with existing text that is proximate to the location of the cursor;

(c)   applying the collected context information to a database of a plurality of rules to determine whether the collected context information coincides with one of the plurality of rules;

(d)   if so, then determining one of a plurality of cursors associated with the coinciding rule; and

(e)   displaying the associated cursor.

11.   The method recited in Claim 10 wherein the associated cursor indicates the anticipated location of an insertion point in the electronic document.

12.   The method recited in Claim 10 wherein the associated cursor indicates the anticipated location of an insertion point in the electronic document.

13.   The method recited in Claim 10 further comprising the step of repeating steps (a)-(e) as the cursor is moved around the electronic document.

14.   A computer-readable medium having computer-executable instructions for performing the steps recited in Claim 13.

15.   For an electronic system for creating and editing an electronic file, a method for adjusting the location of an insertion point in an electronic file to match the location of a cursor, the method comprising the steps of:

(a)   determining whether a location of a cursor in the electronic file is positioned over existing text, wherein the existing text includes existing paragraph marks, existing characters or existing spaces;

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(b)   collecting context information regarding a location of a cursor in the electronic file by:

if the location of the cursor is positioned over existing text, then collecting context information associated with the existing text;

otherwise, collecting context information associated with existing text that is proximate to the location of the cursor;

(c)   applying the collected context information to a database of a plurality of rules to determine whether the collected context information coincides with one of the plurality of rules;

(d)   if so, then adjusting the location of the insertion point based upon the coinciding rule;

(e)   determining whether the location of the insertion point matches the location of the cursor; and

(f)   if not, then repeating steps (a)-(e).

16.   The method recited in Claim 15 wherein the step of adjusting the location of the insertion point based upon the coinciding rule comprises applying formatting properties to the electronic file.

17.   The method recited in Claim 16 wherein the formatting properties are stored in association with the coinciding rule.

18.   A computer-readable medium having computer-executable instructions for performing the steps recited in Claim 17.

19.   The method recited in Claim 1, wherein the indication comprises a first click and a second click and wherein the insertion point is placed at a first location in response to the first click and wherein the insertion point is placed at a second location in response to the second click.

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20. The method recited in Claim 1, further comprising the step of receiving an actualization input before performing the step of performing formatting to place the insertion point in the electronic document.

21. For an electronic system for creating and editing an electronic document, a method for placing an insertion point in the electronic document, the method comprising the steps of:

(a) determining whether a location of a cursor in the electronic document, is positioned over an existing line;

(b) collecting context information regarding the location of the cursor in the electronic document by;

if the location of the cursor is positioned over the existing line, then collecting context information associated with the existing line;

otherwise, collecting context information associated with an existing line that is proximate to the location of the cursor;

(c) selecting one of a plurality of rules based on the collected context information;

(d) in response to selecting the rule, changing a presentation of the cursor to indicate an anticipated location of the insertion point and the type of formatting that will be applied to text and objects located in close proximity to the cursor location;

(e) determining whether an indication has been received to place the insertion point in the electronic document; and

(f) if so, then performing formatting to place the insertion point in the electronic document.

22. A computer-implemented method for editing an electronic document comprising:

receiving a notification of an intent to create an insertion point at a cursor location in the electronic document; and

if the cursor location corresponds to no existing text, automatically making formatting adjustments sufficient to create the insertion point at the cursor location.

23.   The computer-implemented method of Claim 22, wherein the formatting adjustments comprise adding paragraph marks sufficient to extend existing text to a vertical location proximate to the cursor location.
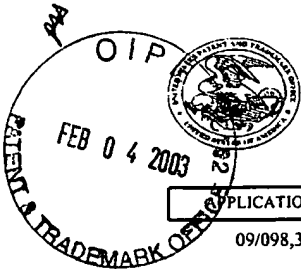
24.   The computer-implemented method of Claim 23, wherein the formatting adjustments comprise characters, tabs, or spaces sufficient to extend existing text to a horizontal location proximate to the cursor location.

25.   The computer-implemented method of Claim 22, wherein the formatting adjustments comprise characters, tabs, or spaces sufficient to extend existing text to a horizontal location proximate to the cursor location.

26.   The computer-implemented method of Claim 22, automatically making formatting adjustments further comprising identifying context information for existing text proximate to the cursor location and making formatting adjustments at the insertion point at the cursor location.

27.   The computer-implemented method of Claim 22, wherein the no existing text corresponds to a location in a graphical representation of the electronic document at which no document content exists.

28.   The computer-implemented method of Claim 22, wherein the no existing text corresponds to a location in a graphical representation of the electronic document outside an end of document marker.

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/098,366	06/17/1998	NOBUYA HIGASHIYAMA	13237-2150	4032

7590   07/08/2002   TSW

M TODD MITCHEN
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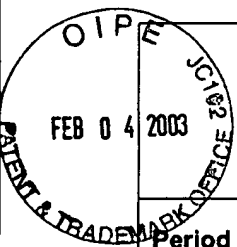| EXAMINER |
|---|
| BASHORE, WILLIAM L |

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/08/2002

FR 2MO   Sep 8, 2002
FR 3MO   Oct. 8, 2002
FR 6MO   Jan. 8, 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

D

PTO-90C (Rev. 07-01)

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _11 April 2002_ .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1 and 3-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1 and 3-28_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

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Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .
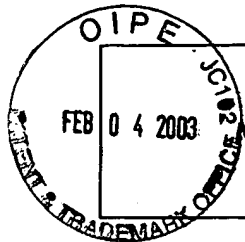
		Application/Control No.	Applicant(s)/Patent Under Reexamination
Notice of References Cited		09/098,366	HIGASHIYAMA ET AL.
		Examiner	Art Unit	
		William L. Bashore	2176	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-		RECEIVED	
	K	US-			
	L	US-		FEB 1 0 2003	
	M	US-		Technology Center 2100	

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	WordPerfect Version 6.1 For Windows, released 4/15/1996 by Corel Corporation, screenshots from application pp. 1-9.
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

DETAILED ACTION

1.   This action is responsive to communications: amendment filed 4/11/2002 to the original

application filed on 6/17/1998.

2.   Claims 1, 3-21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Van De

Vanter and Fukunaga.

3.   Claims 1, 3-28 are pending. Claims 22-28 have been added. Claims 1, 10, 15, 21, 22 are

independent claims.

Claim Rejections - 35 USC § 102

4.   **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the**

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

5.   **Claims 22-28 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the**

invention. The invention is WordPerfect Version 6.1 For Windows (hereinafter WordPerfect),

released 4/15/1996 by Corel Corporation, screenshots from application, pp. 1-9.

        In regard to independent claim 22, WordPerfect discloses:

        - a document editor in which hidden text, paragraph markers, spaces, as well as reveal codes can

be revealed, resulting in the presentation of a typical document (WordPerfect pp. 2-3). It is noted that

page 3 (item a) represents the present input cursor, and page 3 (item b) reflects a cursor placed at a user

selected location with no text and markers. A user can notify WordPerfect of an intent to insert an

insertion point by activating Insert-Object-Create New Bitmap Image (WordPerfect pp. 4-5), resulting in

an input area (WordPerfect p. 6). Additionally, the user can activate Create Caption, resulting in an

editable caption input area indicative of an insertion point, said caption and surrounding area can be

positioned if necessary (WordPerfect p. 8-9) (compare with claim 22 *"A computer-implemented method

for editing an electronic document comprising: receiving a notification of an intent to create an insertion

point at a cursor location in the electronic document"*).

    - as explained above, WordPerfect page 3 (item b) reflects a cursor placed at a user selected

location with no text and markers. The above operations results in WordPerfect automatically formatting

the document to include the new data, along with added paragraph, tab, and space markers at the cursor

location (WordPerfect page 8) (compare with claim 22 *"if the cursor location corresponds to no existing

text, automatically making formatting adjustments sufficient to create the insertion point at the cursor

location."*).

In regard to dependent claims 23-25, WordPerfect discloses formatting adjustments for

including text and text markers (i.e. new tab, paragraph, and space markers) proximate to (i.e. horizontal

and vertical) an input cursor (WordPerfect pp. 8-9; compare with claims 23-25).

In regard to dependent claim 26, WordPerfect discloses revealing context information

(WordPerfect page 2, 8-9; compare with claim 26).

In regard to dependent claims 27-28, WordPerfect discloses an intended input cursor

(WordPerfect page 3 item b), which contains no text or document markers (compare with claims 27-28).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
> this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as
> a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1, 3-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van De

Vanter, U.S. Patent No. 5,857,212 issued January 1999, in view of Fukunaga, U.S. Patent No.

5,627,948 issued May 1997.

In regard to independent claim 1, Van De Vanter teaches a location of a cursor over existing

text (Van De Vanter column 21 lines 65-67; compare with amended claim 1(a) *"determining whether a*

location of a cursor in the electronic document is positioned over existing text, wherein the existing text

includes existing paragraph marks, existing characters or existing spaces").

Van De Vanter teaches text editing by managing movement and placement of a cursor relative to

text positions (Van De Vanter column 21 lines 65-67, column 12 lines 22-29; compare with amended

claim 1(b) *"collecting context information regarding the location of the cursor in the electronic document*

by: if the location of the cursor is positioned over existing text, then collecting context information

associated with the existing text").

Van De Vanter does not specifically teach collecting said information proximate to cursor

location. However, Fukunaga teaches collecting contextual formatting information of text lines proximate

to a cursor position not located over text (Fukunaga Figure 4, also column 3 lines 64-67, column 4 lines

1-10; compare with amended claim 1(b) *"otherwise, collecting context information associated with*

existing text that is proximate to the location of the cursor"). It would have been obvious to one of

ordinary skill in the art at the time of the invention to apply Fukunaga to Van De Vanter, because

Fukunaga's taught advantage of collecting format information, providing a way to establish format and

display correspondence to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

Van De Vanter teaches a rule selected from a plurality of rules subsequent to user input (Van De

Vanter column 16 lines 65-67, column 17 lines 1-5; compare with amended claim 1(c) *"selecting one of a*

plurality of rules based on the collected context information").

Van De Vanter teaches changing cursor presentation (Van De Vanter column 36 lines 59-67;

compare with amended claim 1(d) *"in response to selecting the rule, changing a presentation of the*

cursor to indicate an anticipated location of the insertion point..."). Van De Vanter does not specifically

teach indication of formatting types in close proximity. However, Fukunaga teaches display of formatting

information proximate to cursor location, subsequent to a change in said cursor location (Fukunaga

Figures 3, 4 items K, 301-307; compare with claim 1(d) *"...and a type of formatting that will be applied*

to text and objects located in close proximity to the cursor location"). It would have been obvious to one

of ordinary skill in the art at the time of the invention to apply Fukunaga to Van De Vanter, because

Fukunaga's taught advantage of format change and display, providing a way to easily show formatting

changes to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

Van De Vanter teaches the use of cursor movement and placement management (Van De Vanter

column 12 lines 22-29; compare with claim 1(e) *"determining whether an indication has been received to*

place the insertion point in the electronic document").

Van De Vanter teaches a method whereby a cursor is positioned in a displayed program for

editing purposes (Van De Vanter column 12 lines 58-63). Van De Vanter does not specifically teach

performing formatting. However, Fukunaga teaches performing formatting relative to cursor placement

(Fukunaga Figures 3, 4 items K, 301-307; compare with claim 1(f) *"if so, then performing formatting to*

place the insertion point in the electronic document"). It would have been obvious to one of ordinary skill

in the art at the time of the invention to apply Fukunaga to Van De Vanter, because Fukunaga's taught

advantage of format change and display, providing a way to easily show formatting changes to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

In regard to dependent claim 3, Van De Vanter teaches various types of mouse clicks that can be used in the embodiment of the invention as disclosed by Van De Vanter (Van De Vanter column 9 lines 42-44; compare with claim 3).

In regard to dependent claim 4, Van De Vanter does not specifically teach the repeating of steps 1(a) - 1(f) of amended claim 1 upon no indication of cursor placement. However, Van De Vanter teaches repeating the visual offset calculation of alignment markers (Van De Vanter abstract at bottom, also column 42 lines 54-57; compare with claim 4). Claim 4 would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Van De Vanter, because of Van De Vanter's taught advantage of repetition, providing a way to display a complete formatting change to the method as taught by Van De Vanter.

In regard to dependent claim 5, Van De Vanter does not specifically teach a method of formatting comprising the addition/deletion of document formatting properties. However, Fukunaga teaches the changing of format properties (Fukunaga Figures 3, 4, also column 4 lines 8-10; compare with amended claim 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Fukunaga to the method of Van De Vanter, because of Fukunaga's taught advantage of format changing, providing increased textual correctness to the method as taught by Van De Vanter.

In regard to dependent claim 6, Van De Vanter teaches localized lexical analysis performed

subsequent to an insertion point defining a position of user editing, said position indicated by a cursor

over text (Van De Vanter column 4 lines 25-33, column 21 lines 65-67; compare with amended claim 6).

In regard to dependent claims 7-8, Van De Vanter does not specifically teach associating a rule

with formatting steps, as well as matching context information with a trigger, and selecting a coinciding

rule. However, these limitations would have been obvious to one of ordinary skill in the art at the time of

the invention, in view of Van De Vanter, because Van De Vanter teaches how a keystroke executive and a

tokenizer respond to a "delete net character" command issued by a user (Van De Vanter column 25 lines

44-50, and Table 6, 7). Certain positional rules are selected and implemented which are dependent upon a

cursor position, which suggests triggering events and formatting steps eventually resulting in a final

position (compare with claims 7-8), providing the advantage of rules based triggered events for modifying

position displays.

In regard to dependent claim 9, a computer-readable medium (ie. diskette, hard disk, etc.) is

known in the software art.

In regard to independent claim 10, Van De Vanter teaches a location of a cursor over existing

text (Van De Vanter column 21 lines 65-67; compare with amended claim **10(a)** *"determining whether a*

location of a cursor in the electronic document is positioned over existing text, wherein the existing text

includes existing paragraph marks, existing characters or existing spaces").

Van De Vanter teaches text editing by managing movement and placement of a cursor relative to

text positions (Van De Vanter column 21 lines 65-67, column 12 lines 22-29; compare with amended

claim **10(b)** *"collecting context information regarding the location of the cursor in the electronic*

document by: if the location of the cursor is positioned over existing text, then collecting context

information associated with the existing text").

Van De Vanter does not specifically teach collecting said information proximate to cursor

location. However, Fukunaga teaches collecting contextual formatting information of text lines proximate

to a cursor position not located over text (Fukunaga Figure 4, also column 3 lines 64-67, column 4 lines

1-10; compare with amended claim **10(b)** *"otherwise, collecting context information associated with*

existing text that is proximate to the location of the cursor"). It would have been obvious to one of

ordinary skill in the art at the time of the invention to apply Fukunaga to Van De Vanter, because

Fukunaga's taught advantage of collecting format information, providing a way to establish format and

display correspondence to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

Van De Vanter teaches a rule selected from a plurality of rules subsequent to user input (Van De

Vanter column 16 lines 65-67, column 17 lines 1-5; compare with amended claim **10©** *"applying the*

collected context information... ", and *" ...to determine whether the collected information coincides with*

one of the plurality of rules"). Van De Vanter also teaches the use of a database for storing lexical rules

(see Van De Vanter column 11 lines 54-57; compare with amended claim **10©** *"...to a database of a*

plurality of rules...").

In addition, Van De Vanter teaches a method of cursor selection and display based upon insertion

point position resulting in different editing behaviors and cursor presentations (Van De Vanter column 36

lines 59-67, column 37 lines 1-2; compare with amended claim **10(d)** *"if so, then determining one of a*

plurality of cursors associated with the coinciding rule", and **10(e)** *"displaying the associated cursor").*

In regard to dependent claim 11, Van De Vanter teaches the presentation of an I-beam cursor

based upon the position of an insertion point in the document (Van De Vanter column 37 lines 19-24;

compare with claim 11).

In regard to dependent claim 12, Van De Vanter teaches a method of alignment markers placed around tokens for centering lines, and automatic aligning between lines (Van De Vanter column 39 lines 9-23; compare with claim 12).

In regard to dependent claim 13, Van De Vanter does not specifically teach the repeating of steps 10(a) - 10(e) of amended claim 10 upon movement of cursor placement. However, Van De Vanter teaches repeating the visual offset calculation of alignment markers (Van De Vanter abstract at bottom, also column 42 lines 54-57; compare with claim 13). Claim 13 would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Van De Vanter, because of Van De Vanter's taught advantage of repetition, providing a way to display a complete formatting change to the method as taught by Van De Vanter.

In regard to dependent claim 14, claim 14 reflects the computer program product comprising computer readable instructions used for implementing the methods as claimed in claim 13, and is rejected using the same rationale.

In regard to independent claim 15, Van De Vanter teaches a location of a cursor over existing text (Van De Vanter column 21 lines 65-67; compare with amended claim **15(a)** *"determining whether a location of a cursor in the electronic document is positioned over existing text, wherein the existing text includes existing paragraph marks, existing characters or existing spaces"*).

Van De Vanter teaches text editing by managing movement and placement of a cursor relative to text positions (Van De Vanter column 21 lines 65-67, column 12 lines 22-29; compare with amended claim **15(b)** *"collecting context information regarding the location of the cursor in the electronic document by: if the location of the cursor is positioned over existing text, then collecting context information associated with the existing text"*).

Van De Vanter does not specifically teach collecting said information proximate to cursor location. However, Fukunaga teaches collecting contextual formatting information of text lines proximate to a cursor position not located over text (Fukunaga Figure 4, also column 3 lines 64-67, column 4 lines 1-10; compare with amended claim **15(b)** *"otherwise, collecting context information associated with existing text that is proximate to the location of the cursor"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Fukunaga to Van De Vanter, because Fukunaga's taught advantage of collecting format information, providing a way to establish format and display correspondence to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

Van De Vanter teaches a rule selected from a plurality of rules subsequent to user input (Van De Vanter column 16 lines 65-67, column 17 lines 1-5; compare with amended claim **15©** *"applying the collected context information..."*, and *"...to determine whether the collected information coincides with one of the plurality of rules"*). Van De Vanter also teaches the use of a database for storing lexical rules (Van De Vanter column 11 lines 54-57; compare with amended claim **15©** *"...to a database of a plurality of rules..."*).

In addition, Van De Vanter teaches a method of matching an I-beam cursor relevant to various insertion point positions (Van De Vanter column 36 lines 64-67, column 37 lines 1-3; compare with amended claim **15(d)** *"if so, then adjusting the location of the insertion point based upon the coinciding rule"*, and **15(e)** *"determining whether the location of the insertion point matches the location of the cursor"*).

Van De Vanter does not specifically teach the repeating of steps 15(a) - 15(e). However, Van De Vanter teaches repeating the visual offset calculation of subsequent alignment markers (Van De Vanter abstract at bottom, also column 42 lines 54-57; compare with amended claim **15(f)** *"if not, then repeating steps (a) - (e)"*). Claim **15(f)** would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Van De Vanter, because of Van De Vanter's taught advantage of repetition, providing a way to display a complete formatting change to the method as taught by Van De Vanter.

In regard to dependent claims 16, claim 16 incorporates substantially similar subject matter as claimed in claim 8, and is rejected along the same rationale.

In regard to dependent claims 17-18, Van De Vanter teaches an embodiment involving secondary memory (Van De Vanter column 8 lines 25-29; compare with claim 17). A computer-readable medium (ie. diskette, hard disk, etc.) is known in the software art (compare with claim 18).

In regard to dependent claim 19, Van De Vanter teaches a method of a token stream, whereby dynamic user input results in updating insertion points and cursor positions of each dynamic editing action which can be used with a mouse (Van De Vanter column 4 lines 25-35, column 9 lines 42-44; compare with claim 19).

In regard to dependent claim 20, Van De Vanter teaches a method of an insertion point defining an actual editing location, said cursor location and analysis is updated subsequent to a user edit (Van De Vanter column 4 lines 25-35; compare with claim 20).

In regard to independent claim 21, Van De Vanter teaches a location of a cursor over existing text (Van De Vanter column 21 lines 65-67; compare with amended claim **21(a)** *"determining whether a location of a cursor in the electronic document is positioned over an existing line"*).

Van De Vanter teaches text editing by managing movement and placement of a cursor relative to text positions (Van De Vanter column 21 lines 65-67, column 12 lines 22-29; compare with amended claim **21(b)** *"collecting context information regarding the location of the cursor in the electronic document by: if the location of the cursor is positioned over an existing line, then collecting context information associated with the existing line"*).

Van De Vanter does not specifically teach collecting said information proximate to cursor

location. However, Fukunaga teaches collecting contextual formatting information of text lines proximate

to a cursor position not located over text (Fukunaga Figure 4, also column 3 lines 64-67, column 4 lines

1-10; compare with amended claim **21(b)** "*otherwise, collecting context information associated with an*

existing line that is proximate to the location of the cursor"). It would have been obvious to one of

ordinary skill in the art at the time of the invention to apply Fukunaga to Van De Vanter, because

Fukunaga's taught advantage of collecting format information, providing a way to establish format and

display correspondence to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

Van De Vanter teaches a rule selected from a plurality of rules subsequent to user input (Van De

Vanter column 16 lines 65-67, column 17 lines 1-5; compare with amended claim **21©** "*selecting one of a*

plurality of rules based on the collected context information").

Van De Vanter teaches changing cursor presentation (Van De Vanter column 36 lines 59-67;

compare with amended claim **21(d)** "*in response to selecting the rule, changing a presentation of the*

cursor to indicate an anticipated location of the insertion point..."). Van De Vanter does not specifically

teach indication of formatting types in close proximity. However, Fukunaga teaches display of formatting

information proximate to cursor location, subsequent to a change in said cursor location (Fukunaga

Figures 3, 4 items K, 301-307; compare with claim **21(d)** "*...and a type of formatting that will be applied*

to text and objects located in close proximity to the cursor location"). It would have been obvious to one

of ordinary skill in the art at the time of the invention to apply Fukunaga to Van De Vanter, because

Fukunaga's taught advantage of format change and display, providing a way to easily show formatting

changes to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

Van De Vanter teaches the use of cursor movement and placement management (Van De Vanter

column 12 lines 22-29; compare with claim **21(e)** "*determining whether an indication has been received*

to place the insertion point in the electronic document").

Van De Vanter teaches a method whereby a cursor is positioned in a displayed program for editing purposes (Van De Vanter column 12 lines 58-63). Van De Vanter does not specifically teach performing formatting. However, Fukunaga teaches performing formatting relative to cursor placement (Fukunaga Figures 3, 4 items K, 301-307; compare with claim **21(f)** "*if so, then performing formatting to place the insertion point in the electronic document*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Fukunaga to Van De Vanter, because Fukunaga's taught advantage of format change and display, providing a way to easily show formatting changes to Van De Vanter (Fukunaga column 1 lines 66-67, column 2 lines 1-2).

Response to Arguments

8.   Applicant's arguments filed 4/11/2002 have been fully and carefully considered but they are not

persuasive.

Applicant's arguments on pages 3-8 are substantially directed to the assertion that the cited art of record

does not teach positioning a cursor over (and collecting context information on) a location with no

existing text, or not on an existing line. The relevant claimed limitations recite in part: *"wherein the*

existing text includes existing paragraph marks, existing characters, or existing spaces", and *"... if the*

location of the cursor is positioned over existing text, then collecting context information associated with

the existing text; otherwise, collecting context information associated with existing text that is proximate

to the location of the cursor". The Examiner notes that the cited art teaches cursor positions over non-

existing text.

Applicant argues on page 4 of the amendment that Van De Vanter does not teach changing

presentation of a cursor. The Examiner notes that Van De Vanter teaches changing an I-Beam cursor.

Applicant argues on page 5 of the amendment that the specification includes tab stops as existing

text. The Examiner notes that Applicant's cited specification discloses tabs as a property, or attribute of

existing text. The Examiner makes a distinction between textual attributes, and the text itself.

Applicant argues on page 7 of the amendment that the cited art does not teach repeating steps of

the claimed limitations. The Examiner notes that Van De Vanter teaches repeating various methods of his

invention.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is **(703) 308-5807.** The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on **(703) 308-5186.**

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is **(703) 305-3900.**

11.   **Any response to this action should be mailed to:**

> Commissioner of Patents and Trademarks
> Washington, D.C. 20231

or faxed to:

> **(703) 746-7239** (for formal communications intended for entry)
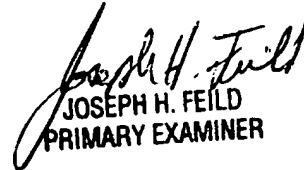
or:

> **(703) 746-7240** (for informal or draft communications, please label
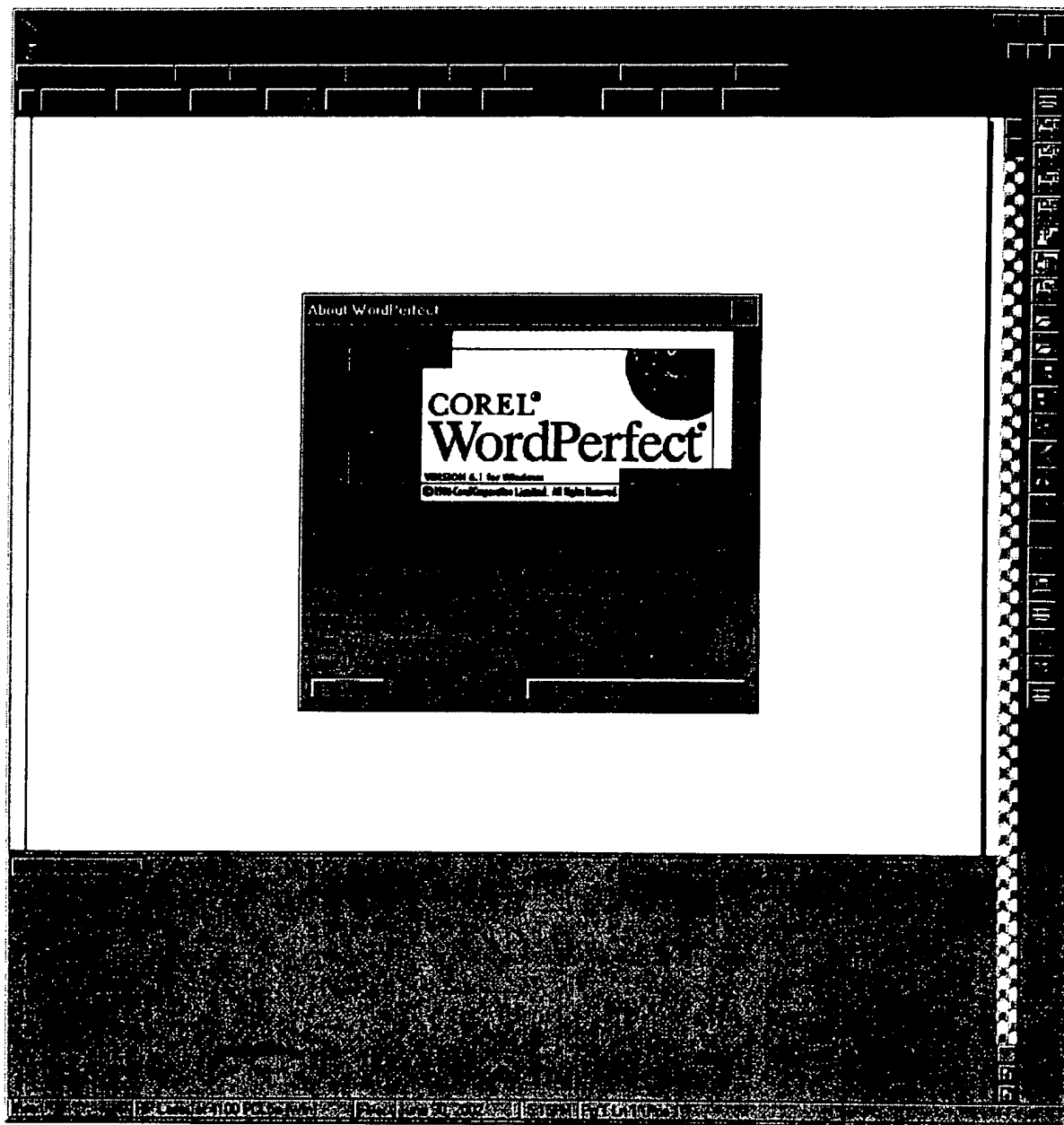> "PROPOSED" or "DRAFT")

or:

> **(703) 746-7238** (for after-final communications)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
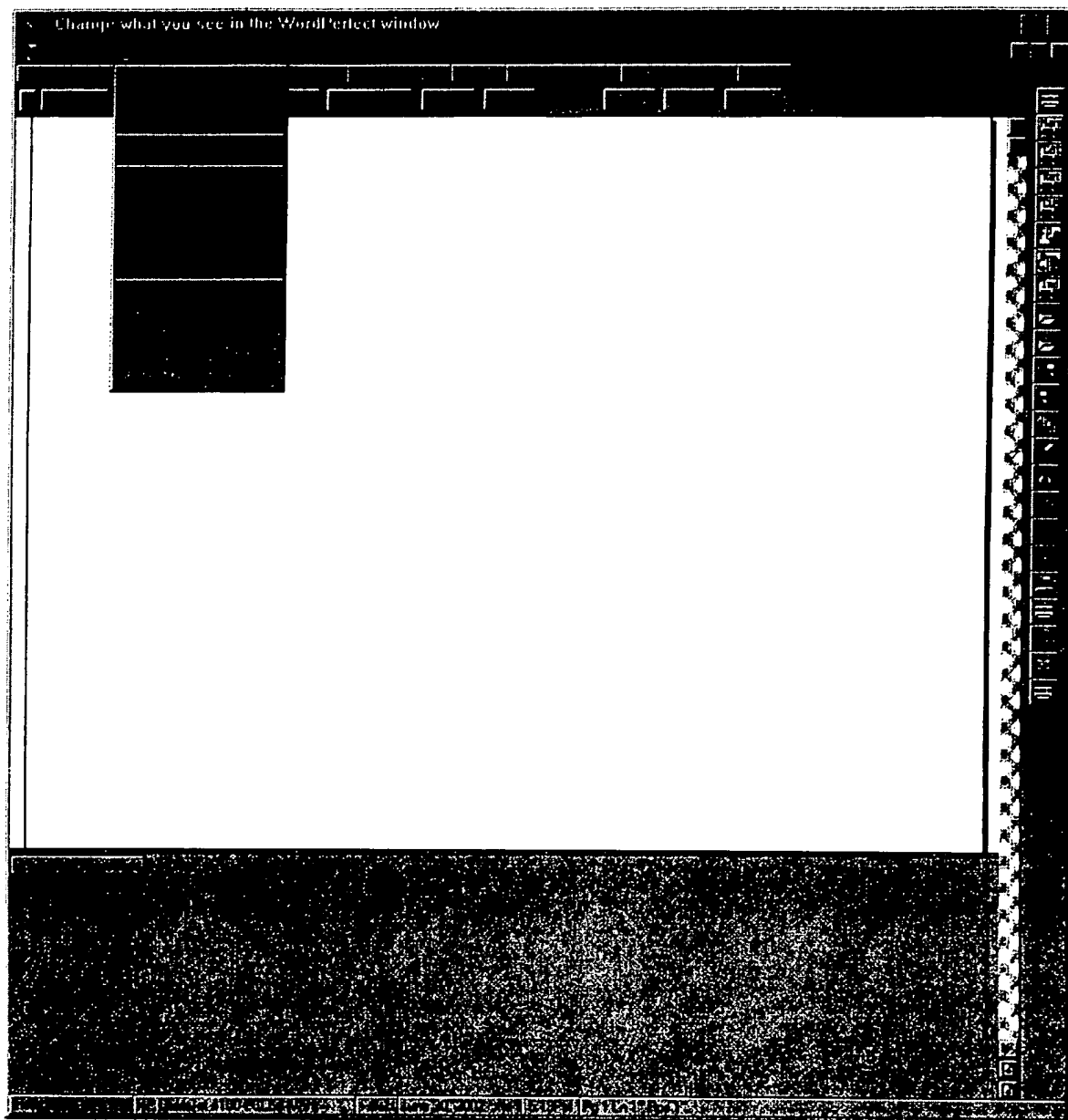Arlington, VA, Fourth Floor (Receptionist).**

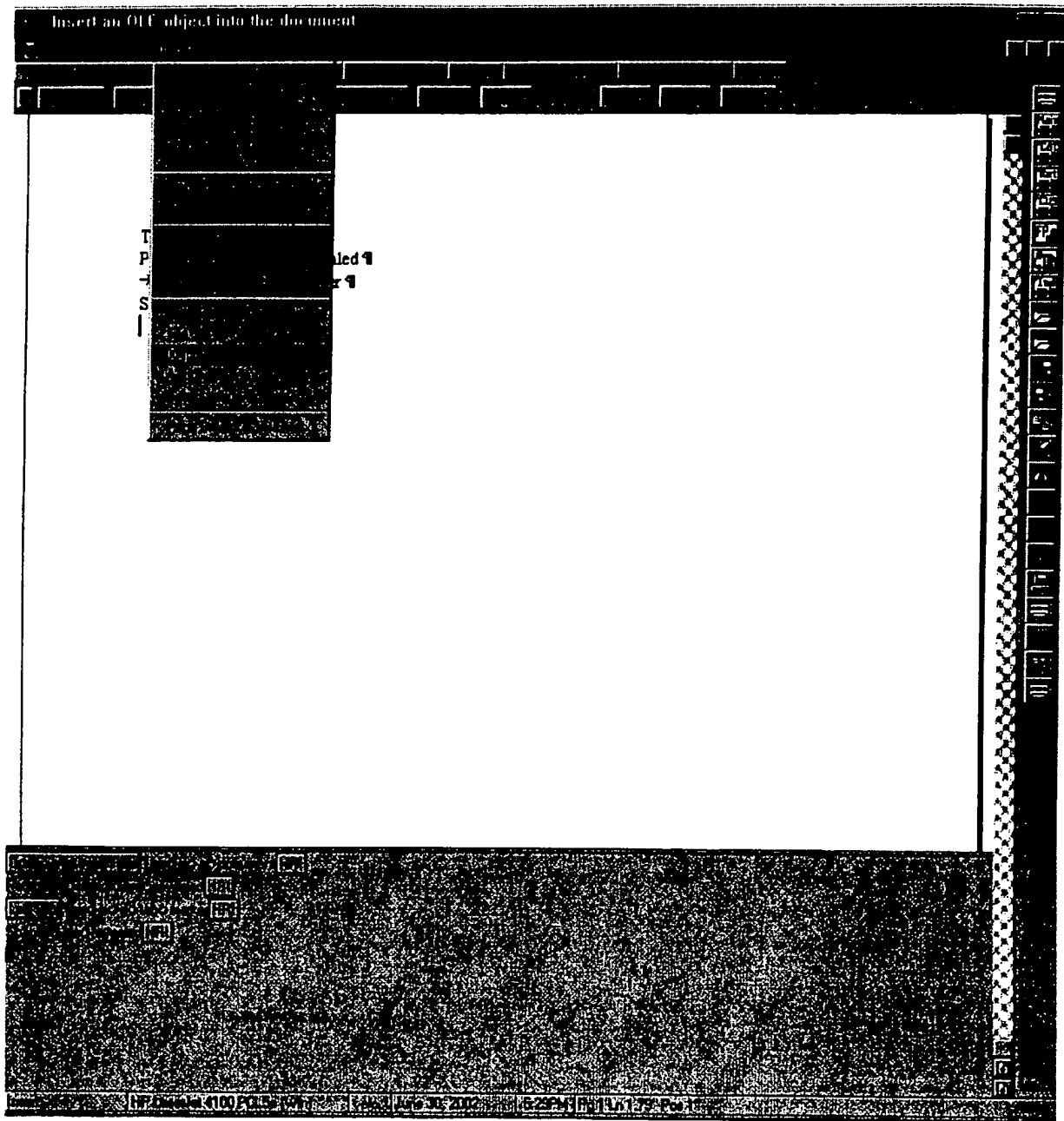William L. Bashore
06/29/2002

JOSEPH H. FEILD
PRIMARY EXAMINER

About WordPerfect

COREL®
WordPerfect®

VERSION 8.1 for Windows

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09/098,366

(1)

This·is·a·document ¶
Paragraph·marks·are·revealed ¶
→   This·is·a·tab·marker ¶
Spaces·are·revealed ¶

a.

I

b.

T
P   led ¶
→   r ¶
S
|

This·is·a·document¶
Paragraph·marks·are·revealed¶
→   This·is·a·tab·marker¶
Spaces·are·revealed¶

Insert Object

Adobe Acrobat Document
Bitmap Image
BlockMapCtrl Class
Calendar Control 9.0
DriveList Control
FolderChooser Class
FormFlow Document
FormFlow Form

This·is·a·document·¶
Paragraph·marks·are·revealed·¶
→   This·is·a·tab·marker·¶

Spaces·are·revealed·¶

(6)

This·is·a·document ¶
Paragraph·marks·are·revealed ¶
→   This·is·a·tab·marker ¶
■   ■   ⓢpaces·are·revealed ¶

This·is·a·document ¶
Paragraph·marks·are·revealed ¶
→   This·is·a·tab·marker ¶
■   ■   Spaces·are·revealed ¶

■   ■

→   **Figure·1** ¶
There·is·no·image·here ¶
|
■   ■   ■

(8)

This·is·a·document ¶
Paragraph·marks·are·revealed ¶
→   This·is·a·tab·marker ¶

                         Spaces·are·revealed ¶

→   **Figure·1** ¶
There·is·no·image·here ¶
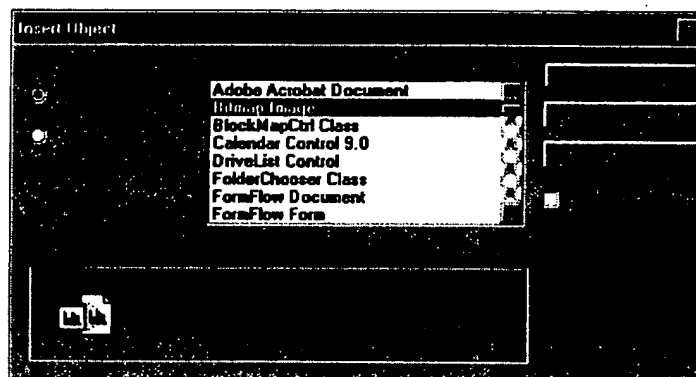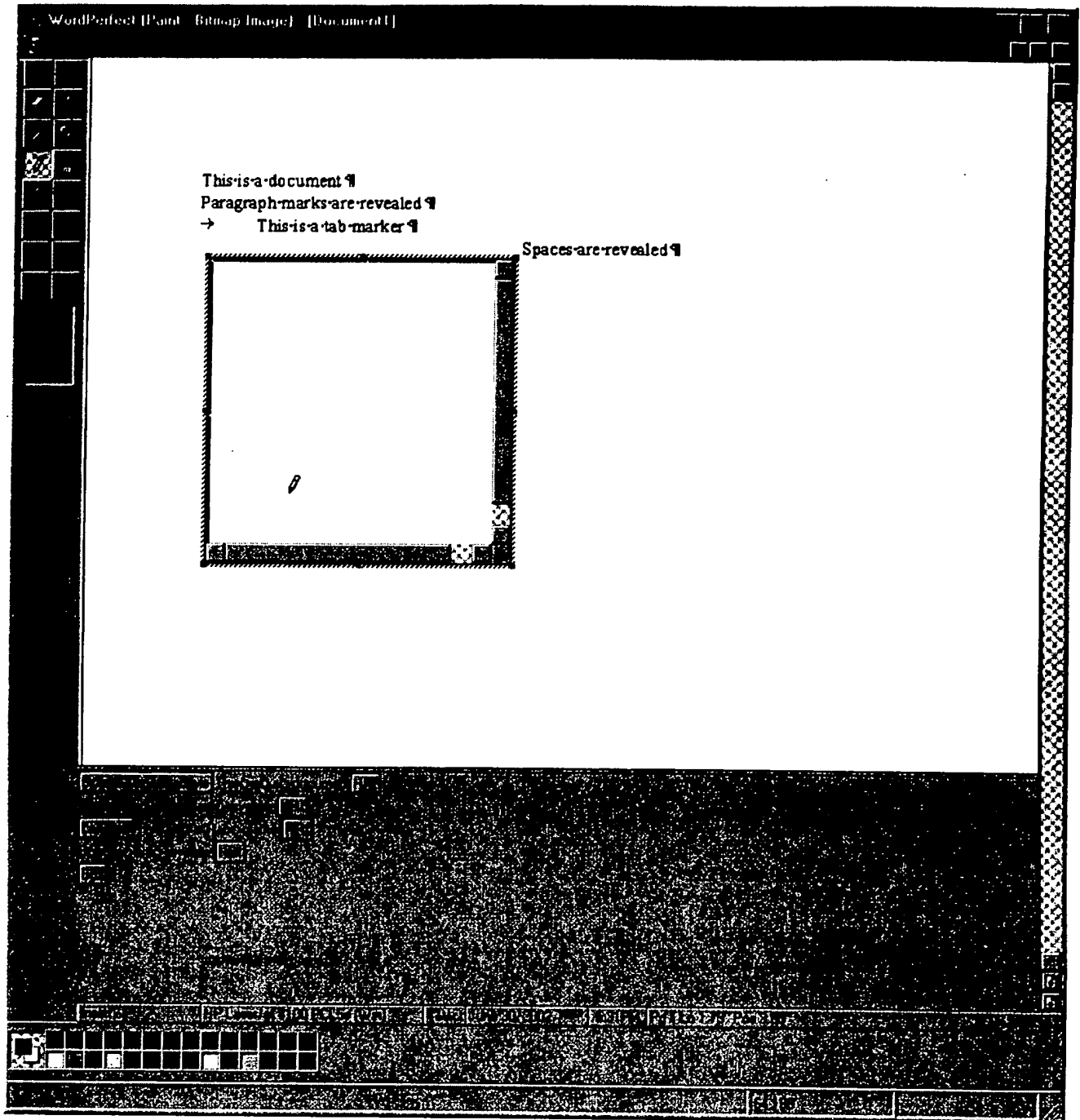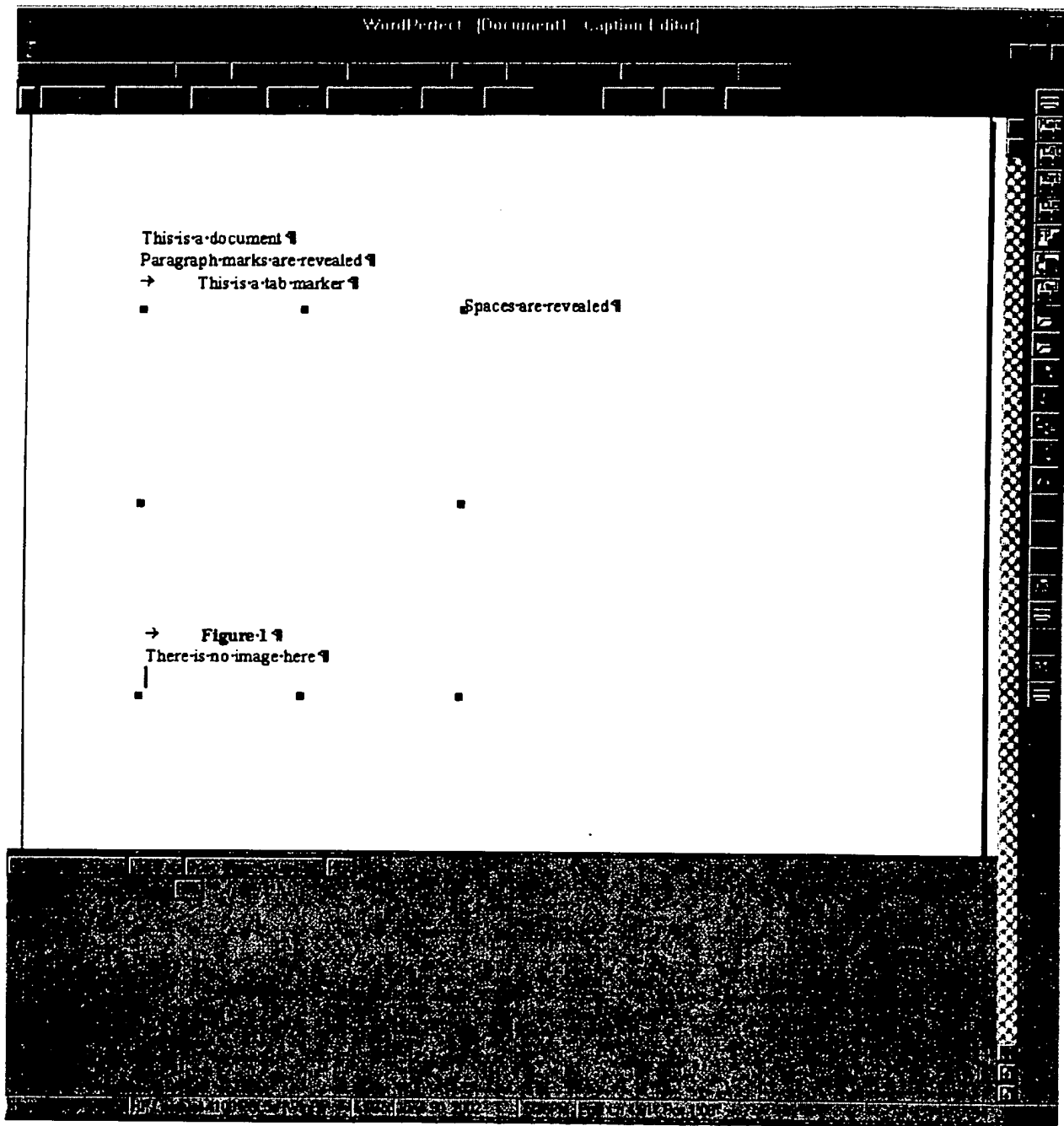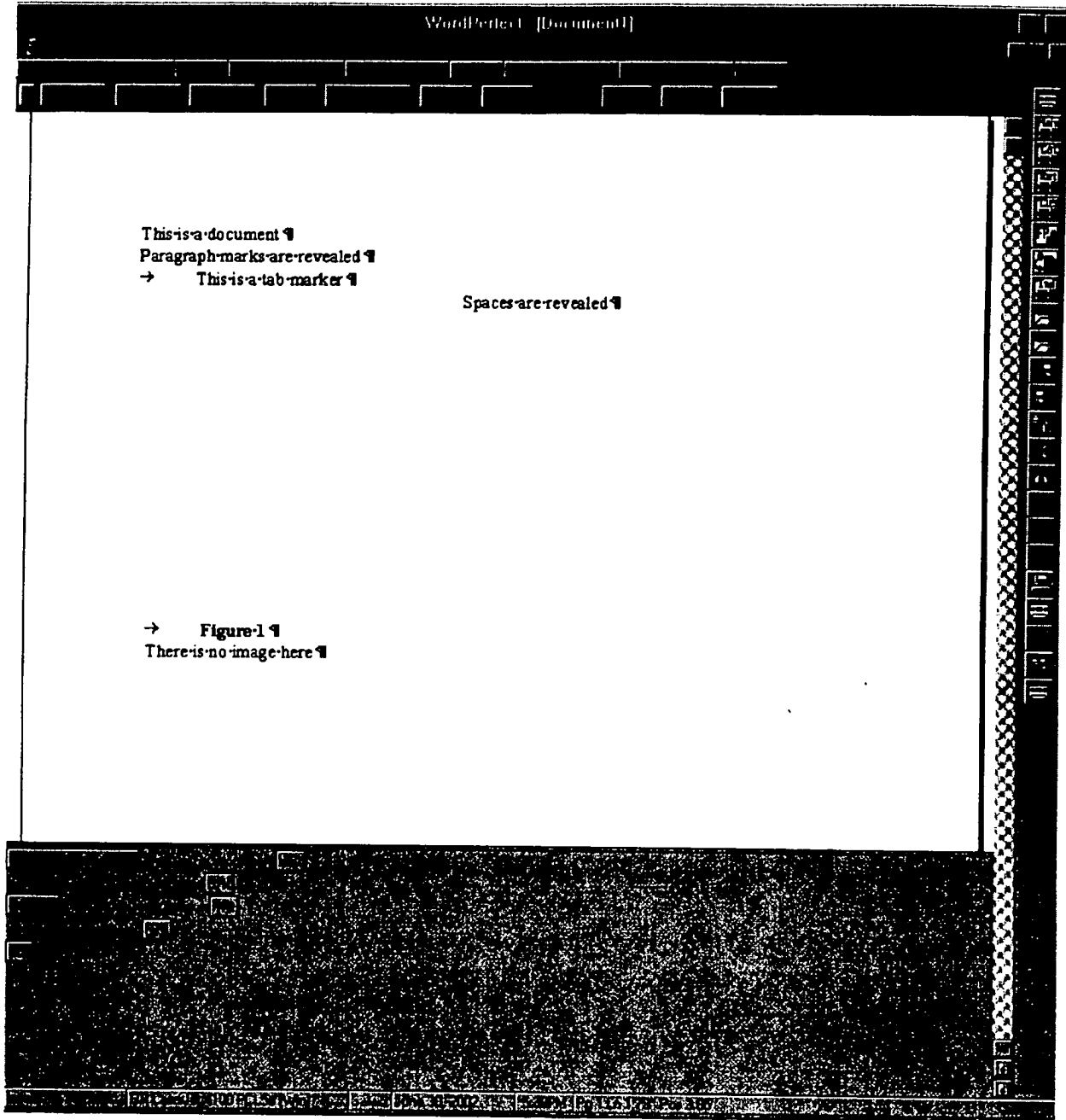
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Nobuya Higashiyama	Examiner:	William L. Bashore
Application No.:	09/098,366	Group Art Unit:	2176
Filed:	June 17, 1998	Docket No.:	60001.83US01
Title:	METHOD AND SYSTEM FOR PLACING AN INSERTION POINT IN AN ELECTRONIC DOCUMENT		

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

RECEIVED

FEB 1 0 2003

Dear Sir:

Technology Center 2100

In response to the Final Office Action dated July 8, 2002, applicant submits this paper and respectfully requests that the application be reconsidered in light of the arguments presented below.

REMARKS/ARGUMENTS

Claims 1 and 3-28 were pending prior to entry of this response. Claims 1 and 3-21 stand

rejected under 35 U.S.C. 103(a) as being unpatentable over Van De Vanter, USPN 5,857,212,

and Funkunaga, USPN 5,627,948. Claims 22-28 stand rejected under 35 U.S.C. 102(b) as being

anticipated by WordPerfect Version 6.1 For Windows. Applicant respectfully requests that the

rejections be reconsidered in light of the arguments presented below.

<u>Rejections of Claims 22-28</u>

The Office Action rejects Claims 22-28 under 35 U.S.C. 102(b) based upon the public

use or sale of WordPerfect 6.1 For Windows. In particular, the Office Action argues that a

procedure for inserting a bitmap image object in an electronic document using WordPerfect

anticipates Claims 22-28. Applicant respectfully disagrees and submits that the procedure

described in the Office Action is much more complicated and significantly different from the

methods of Claims 22-28. Moreover, even with its complexity, the procedure described in the

Office Action fails to teach the elements recited in the claims.

Independent Claim 22 is directed at a computer-implemented method for editing an

electronic document that comprises "receiving a notification of an intent to create an insertion

point at a cursor location in the electronic document; and if the cursor location corresponds to no

existing text, automatically making formatting adjustments sufficient to create the insertion point

at the cursor location." As discussed in the specification, one of the advantages of the claimed

invention is to provide "an <u>intuitive</u> method for placing an insertion point before entering text or

other elements into a document." (page 7, lines 5-10) The claimed invention also allows "<u>easy</u>

2

positioning of tables, graphics, and text by providing automatic application, or formatting, of

tabs, indents, alignment and other formatting constructs." (page 7, lines 11-13)

The Office Action includes nine pages of screenshots to illustrate that WordPerfect

anticipates independent Claim 22. In particular, page 3 illustrates a cursor placed at a user

selected location with no text or markers; page 4 shows the activation of an insert-object

command; page 5 illustrates the activation of a command to create a new bitmap image; page 6

shows the resulting input area; page 7 illustrates the activation of a create-caption command;

pages 8 and 9 show a blank object having a caption with two lines where the caption happens to

be near ~~where~~ with the user selected location of page 3.

To the best of the applicant's understanding, these screenshots were intended to

demonstrate a procedure in WordPerfect for adding two lines of text at a location with no

existing text. This procedure contains a number of steps, which may include 1) receiving a

command for inserting an object; 2) receiving a selection of a bitmap image object for insertion;

3) inserting a bitmap image object in the document; 4) receiving a command for inserting a

caption for the bitmap image object; and 5) enabling the user to insert enter text for the caption.

Applicant submits that the procedure illustrated by these screenshots clearly demonstrates an

example of the non-intuitive and complex procedures that are required by existing word

processing programs for inserting text at a location in a document with no existing text. The

invention in Claim 22 is especially designed to dramatically simplify these procedures.

An exemplary application of the method of Claim 22 is illustrated in FIG. 4A and 4B of

the applicant's drawings. In FIG. 4A, a cursor 420 is positioned at location with no existing text.

The user double-clicked the mouse button to issue "a notification of an intent to create an

insertion point at the cursor location in the electronic document." In response to the notification, an insertion point is <u>automatically</u> created using paragraph marks, which are "formatting adjustments sufficient to create the insertion point at the cursor location." Applicant respectfully submits the method in Claim 22 is much more efficient than and clearly different from the WordPerfect procedure described by the Office Action. More specifically, most of the steps described in the WordPerfect example could be eliminated by simply tapping the enter key several times, which is the conventional method described by the applicant.

Applicant also submits that the WordPerfect procedure does not create an insertion point at a user-selected location with no existing text, as claimed by the Office Action. The Office Action states that item "b" on page 3 is a cursor placed at a user-selected location with no text or markers and item "a" is a present input cursor. Applicant observes that the screenshot on page 3 shows that cursor position "b" is about several lines below cursor position "a." The screenshot on page 6 clearly shows that the bitmap image object and its caption are inserted above cursor position "a" and not at cursor position "b" with no existing text. Thus, although the caption appears to be near cursor position "b", there is no "insertion point" at cursor position "b". Rather, an object is inserted at cursor position "a", and text within that object (not an insertion point in the document) appears at cursor position "b". Clearly, the WordPerfect procedure fails to create an insertion point at cursor location having no existing text, as recited in the independent Claim 22.

For the reasons stated above, applicant respectfully submits that independent Claim 22 is not anticipated or rendered obvious by WordPerfect 6.1 For Windows and is allowable. Claims 23-28 depend from Claim 22 and, thus, are allowable for at least the same reasons.

Rejections of Claims 1 and 3-21

The Final Office Action maintains the rejections of Claims 1 and 3-21 from the First Office Action dated December 11, 2001. The claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Van De Vanter, USPN 5,857,212, and Funkunaga, USPN 5,627,948. Applicant respectfully submits that the rejections of Claims 1 and 3-21 have been overcome by the Response to the First Office Action filed on April 11, 2002. The arguments below will briefly point out the insufficiency of the references cited by the Office Action.

Regarding independent Claim 1, Van De Vanter does not teach "collecting context information regarding the location of the cursor in the electronic document," as recited in Step (b). Van De Vanter also fails to teach "changing a presentation of the cursor to indicate an anticipated location of the insertion point and the type of formatting that will be applied to text and objects located in close proximity to the cursor location." Van De Vanter appears to teach changing the presentation of the cursor from an arrow to an I-beam when it is over existing text. While the I-beam may indicate an anticipated location, it does not indicate "the type of formatting," as recited in Step (d). Moreover, Step (f) of Claim 1 recites "performing formatting to place the insertion point in the electronic document," which is not taught by Van De Vanter in any way.

Fukunaga fails to cure the insufficiencies of the Van De Vanter reference. Although Fukunaga appears to teach displaying margins and tabstop information at the top of the document display area, Fukunaga does not teach "collecting context information regarding the location of the cursor" or "changing a presentation of the cursor." Furthermore, even though

Fukunaga appears to display margins and tabstop information, it fails to teach "performing formatting," as recited by Claim 1.

For the reasons stated above, applicant respectfully submits that independent Claim 1 is allowable over Van De Vanter and Fukunaga. Claims 3-9 depend on Claim 1 and are thus allowable for at least the reasons just stated.

Regarding independent Claims 10, 15, and 21, the Office Action applies arguments somewhat similar to those used to reject Claim 1. Thus, relevant remarks presented above in conjunction with Claim 1 also apply to Claims 10, 15, and 21. Additional arguments regarding the insufficiency of Van De Vanter and Fukunaga are presented below.

Both Claims 10 and 15 recite "applying the collected context information to a database of a plurality of rules to determine whether the collected context information coincides with one of the plurality of rules." Neither Van De Vanter nor Fukunaga teaches this step. It appears that Van De Vanter teaches rules associated with separating two adjacent tokens. However, the rules in Van De Vanter are not associated with context information as defined by the applicant's specification. Also, Van De Vanter does not teach "determining one of a plurality of cursors associated with the coinciding rule; and displaying the associated cursor," as recited in Step (d) and (e) of Claims 10. For Claim 15, Van De Vanter fails to teach "adjusting the location of the insertion point based upon the coinciding rule," as recited in Step (d).
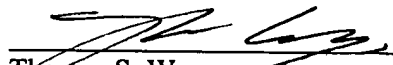
Accordingly, applicant respectfully submits that independent Claims 10, 15 and 21 are allowable over Van De Vanter and Fukunaga. Dependent Claims 11-14, 15-20 are thus allowable for at least the reasons just stated and those discussed in conjunction with Claim 1.

CONCLUSION

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

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Respectfully submitted,

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27488

PATENT TRADEMARK OFFICE

7

MEMORY TRANSMISSION REPORT

PAGE	: 001
TIME	: SEP-09-02 03:36PM
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FROM: Thomas Wong

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Title of Document Transmitted: Method and System For Placing An Insertion Point In An Electronic Document

Applicant:	Nobuya Higashiyama
Serial No.:	09/098,366
Filed:	June 17, 1998
Group Art Unit:	2176
Our Ref. No.:	60001.0083US01

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       Attn: Examiner William L. Bashore
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       Serial No.:   09/098.366
       Filed: June 17, 1998
       Group Art Unit: 2176
       Our Ref. No.: 60001.0083US01

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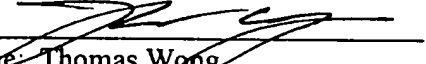
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Applicant: Nobuya Higashiyama
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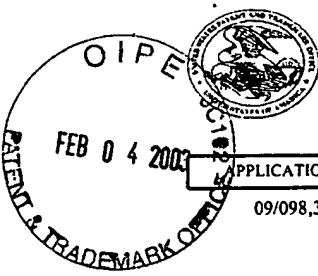
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/098,366	06/17/1998	NOBUYA HIGASHIYAMA	13237-2150	4032

7590   10/04/2002

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EXAMINER
BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 10/04/2002

FR6me: Jan 09, 2003

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PTO-90C (Rev. 07-01)
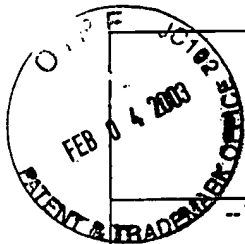
Advisory Action	**Application No.** 09/098,366	**Applicant(s)** HIGASHIYAMA ET AL.
	Examiner William L. Bashore	**Art Unit** 2176

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

THE REPLY FILED 09 September 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

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1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☐ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: _____.

    Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____.

STEPHEN S. HONG
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because:

WordPerfect, as applied by the examiner, discloses the limitations of claims 22-28, as presently claimed. The various actions defined in the toolbar are present in a default installation of WordPerfect 6.1, and the combined sequence of manipulations reflect a known and common way for a user of WordPerfect to edit and add an image to a document. The phrases "an intuitive method..." and "allowing easy positioning..." are subjective. Subsequent to user selection, WordPerfect automatically creates an insertion point. In support of the examiner's rejection, WordPerfect creates a caption editor with an insertion point, said insertion point can be positioned in any area which does not include text or markers (WordPerfect page 8). Subsequent to positioning, WordPerfect automatically formats the document accordingly.

Van De Vanter teaches collecting content information by managing movement and placement of a cursor relative to document text positions. Fukunaga teaches displaying formatting information proximate to cursor location, subsequent to changes in cursor position. Van De Vanter teaches coinciding rules,